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PTO/SB/05 (03-01)
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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	11090-064-999	Total Pages	19270 U.S. PTO 10/67165
	First Named Inventor or Application Identifier			
	Alexey V. Ustinov			
	Express Mail Label No.	EV 313 841 722 US		

APPLICATION ELEMENTS <i>See MPEP chapters 600 concerning utility patent application contents.</i>	Address to: Commissioner for Patents P.O. Box 1450 Mail Stop PATENT APPLICATION Alexandria, VA 22313-1450
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1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification (copy from parent application) [Total Pages 19]
(preferred arrangement set forth below, MPEP 1503.01)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description of the Invention (including drawings, if filed)
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 12]
5. ☒ Oath or Declaration [Total Sheets 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS	
9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))	
10. <input checked="" type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i>	<input checked="" type="checkbox"/> Power of Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	
12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449	<input type="checkbox"/> Copies of IDS Citations
13. <input checked="" type="checkbox"/> Preliminary Amendment	
14. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>	
15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>	
16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent	
17. <input type="checkbox"/> Other:	

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 10/117,696 filed April 4, 2002.

Prior application information: Examiner: Sara W. Crane Group Art Unit: 2811

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number		24341 <i>Insert Customer No.</i>		<input type="checkbox"/> Correspondence address below	
NAME					
ADDRESS					
CITY			STATE		
COUNTRY			TELEPHONE		
			FAX		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEPrior application: Examiner Sara W. CraneArt Unit 2811

Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 10/117,696 filed on April 4, 2002.

of Alexey V. Ustinov

(inventor(s) currently of record in prior application)

for FLUXON INJECTION INTO ANNULAR JOSEPHSON JUNCTIONS

(title of invention)

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	10	- 20	0	\$18.00 each	\$ 0.00
Independent	1	- 3	0	\$84.00 each	\$ 0.00
Minimum Fee					\$ 750.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
Total					\$ 750.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 375.00
Total Filing Fee					\$ 375.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a division of application no. 10/117,696, filed April 4, 2002.
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.
- 5a. ☒ Priority of application no. 60/283,477 filed on April 11, 2001 is claimed under 35 U.S.C. §119.

- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☒ The prior application is assigned of record to D-Wave Systems, Inc. (copy enclosed).
- 7a. ☒ A copy of the Declaration and Power of Attorney filed in the prior application no. 10/117,696, filed April 4, 2002, is enclosed.
- 7b. ☒ A Transfer of Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instruction:
1. Please cancel claims 11-32.
2. Information Disclosure Statement and List of Reference Cited enclosed.
3. Copy of parent specification and drawings enclosed.

Date September 26, 2003

Respectfully submitted,

Brett Forrester Reg. No. 42,813
31,066

Gary S. Williams
PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, California 94304
(650) 493-4935
(Reg. No.)

**POWER OF ATTORNEY BY ASSIGNEE REVOKING PREVIOUS POWERS OF RECORD
AND CERTIFICATE UNDER 37 CFR 3.73(b)**

To the Commissioner of Patents:

The undersigned assignee of the entire interest in application for letters patent entitled: FLUXON INJECTION INTO ANNULAR JOSEPHSON JUNCTIONS, Serial No. 10/117,696, Filed April 4, 2002, 2000, and having the named inventor(s): Alexey Ustinov hereby revokes all previous Powers of record and appoints the following attorneys to transact all business in the Patent Office connected therewith: Berj A. Terzian (Reg. No. 20060), David Weild, III (Reg. No. 21094), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Adriane M. Antler (Reg. No. 32605), Thomas G. Rowan (Reg. No. 34419), James G. Markey (Reg. No. 31636), Thomas D. Kohler (Reg. No. 32797), Scott D. Stimpson (Reg. No. 33607), Gary S. Williams (Reg. No. 31066), Ann L. Gisolfi (Reg. No. 31956), Todd A. Wagner (Reg. No. 35399), Scott B. Familant (Reg. No. 35514), Kelly D. Talcott (Reg. No. 39582), Francis D. Cerrito (Reg. No. 38100), Anthony M. Insogna (Reg. No. 35203), Brian M. Rothery (Reg. No. 35340), Brian D. Siff (Reg. No. 35679), Michael J. Lyons (Reg. No. 37386), Nikolaos C. George (Reg. No. 39201), Stephen S. Rabinowitz (Reg. No. 40286), Ognjan V. Shentov (Reg. No. 38051), Kenneth L. Stein (Reg. No. 38704), Nanda K. Alapati (Reg. No. 39,893), Andrew J. Gray (Reg. No. 41,796), Henry C. Lebowitz (Reg. No. 36,196) and Karen G. Horowitz (Reg. No. 35,199), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 3300 Hillview Avenue, Palo Alto, CA 94304, and each of them its attorneys, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

In accordance with 37 CFR 3.73 the assignee hereby certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an Assignment from the inventor(s). Said assignment being filed together with this Power of Attorney with Revocation. The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified below.

Direct all telephone calls to GARY S. WILLIAMS at (650) 493-4935.

Address all correspondence to:

PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, California 94304

D-Wave Systems, Inc.

By:

(typed name)

Signature:

Title:

Address:

Geordie Rose, President, CEO
1985 West Broadway, Suite 320
Vancouver, B.C. V6J 4Y3 CANADA

Date: September 10, 2002
File No. 11090-0037-999 (M-11584 US)

Express Mail No.: EL 451 598 751 US

Application of:) Confirmation No.: 5526
Alexey V. Ustinov)
) Group Art Unit: 1751
Application No.: 10/117,696)
) Examiner: To be determined
Filed: April 4, 2002)
) Attorney Docket No.:
For: FLUXON INJECTION INTO) 11090-037-999
ANNULAR JOSEPHSON)
JUNCTIONS)

TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed are:

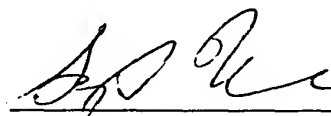
1. a Power of Attorney by Assignee Revoking Previous Powers of Record and Certificate Under 37 CFR 3.73(b) (in duplicate);
2. Copy of Assignment executed by sole inventor, Alexey V. Ustinov; and
3. Return Receipt Postcard.

Please change the attorney docket no. to 11090-037-999, and send all future correspondence for this application to:

PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, CA 94304

Respectfully submitted

Date: October 31, 2002



Gary S. Williams

31,066

(Reg. No.)

PENNIE & EDMONDS LLP
3300 Hillview Avenue
Palo Alto, California 94304
(650) 493 - 4935